

LEASE TO NONPROFIT ORGANIZATION
FOR COOPERATIVE ASSOCIATION ACTIVITIES

MEETING OF THE RIVERS FOUNDATION, INC.

NATIONAL GREAT RIVERS MUSEUM
VISITOR CENTER
REPORT OF AVAILABILITY

A. GENERAL:

1. Project: Rivers Project, National Great Rivers Museum
2. Legal Description: Sales area and office space inside the Great Rivers Museum.
3. Type of Outgrant: ☒ lease ☐ license ☐ easement
☐ permit
4. Proposed use: ☐ Commercial Concession ☐ Park and Recreation ☐ Fish and Wildlife ☐ Agricultural and Grazing
☐ Road ☐ Pipeline ☒ Other: to operate bookstore and occupy office space.
5. Recommended Term of outgrant: 7 years, 4 months.
6. Use requested by: ☐ Army element ☐ private party ☐ adjoining grantee ☐ State, local government ☐ other Federal agency ☒ Other: Non-profit Association - Meeting of the Rivers Foundation, Inc.
7. General property description/characteristics of the property: Interior office and sales area; Government owned building adjacent to Mel Price Locks and Dam.
8. Are Government buildings and improvements included in the area: ☐ No ☒ Yes. If yes, give details on buildings and improvements and attach copy of floor plan, if applicable:

Building Identification No.____; Square footage outgranted/percentage of building____; Condition of the facilities ____.
9. If building space only and land is not included in grant, explain why the improvement is not excess: Granting use to our Partner (The Meeting of the Rivers Foundation, Inc.) of the bookstore area and associated office space assists the Foundation and the Corps in offering an enhanced interpretive and educational experience to the public. This space is not excess to the Corps' needs, but used in cooperation to obtain maximum benefit.
10. United States property interest: ☒ fee simple title; ☐ easement; ☐ in-lease; or ☐ other.

11. Army jurisdiction: ☒ primary jurisdiction, ☐ permit from a Federal Agency, ☐ withdrawn from the public domain.

12. If land is being made available for a public road, show type of access, governmental entity, any restrictions: N/A Is jurisdiction to be relinquished? ☐ Yes ☐ No

13. Are Utilities available? ☒ Yes ☐ No. Will utilities or other support services be provided by Army on reimbursable basis? ☐ Yes ☒ No

14. Destruction, relocation, and replacement of Government facilities:

☒ I Certify the proposed use will not require the destruction, relocation, or replacement of any Government facilities.

☐ The following information is provided with regard to the destruction, relocation, or replacement of any Government facilities: ____.

15. I certify that the grant of the proposed use will not interfere with operation of the project, or with contemplated development and other project purposes.

16. The following site specific recommendations are made as to limitations, restrictions, or conditions to be included in the grant to make the proposed use compatible with the operation of the project:

- Any other written agreements between the parties, including the Cooperative Agreement, shall be interpreted insofar as possible to be in conformance with the terms of this Lease. In the event of any conflicts between this Lease and any other written agreements between the parties, the terms of this Lease shall prevail.

- Revenues obtained by the Lessee from operations conducted on the premises shall be managed in accordance with the guidelines detailed in paragraphs 3.C.2., 3.D.1., and 3.D.2., and 3.D.3. of the Cooperative Agreement.

- The Lessee shall conduct any activities on the premises in accordance with the Cooperative Agreement. The Lessee also agrees to prohibit any exclusive or private use of all or any part of the premises except as approved by said officer and in furtherance of the goals of the Cooperative Agreement. Title to any improvements constructed or place on the premises by the Lessee shall become the property of the United States.

17. Safety issues and concerns, if any: _N/A_

18. REMARKS - include any legal, policy, or mission factors you are aware of that may affect the proposed use of the property:_____

19. BASED ON THE INFORMATION PROVIDED ABOVE, I RECOMMEND THE OUTGRANT BE [x] APPROVED [] DENIED.

Date

ANDREW SCHIMPF
Operations Project Manager
Rivers Project Office

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B. ENVIRONMENTAL and CULTURAL CONSIDERATION:

1. COASTAL ZONE MANAGEMENT (CZM) (if applicable):

☒ CZM is not applicable.

☐ CZM is applicable and the proposed use is/will be consistent with the approved state CZM Plan.

2. FLOODPLAIN:

☐ This property is not located within the 100 year floodplain and does not fall under the purview of Executive Order 11988.

☒ This property is located within the 100 year floodplain and does fall under the purview of Executive Order 11988 and (circle the appropriate):

a. The proposed occupancy or modification will not adversely impact the floodplain.

b. There is no other practicable alternative available for this intended use.

c. The proposed occupancy or modification may be allowed subject to the following restrictions being incorporated in the outgrant document: _____.

3. ENDANGERED SPECIES:

☒ This action will not jeopardize the habitat of any endangered species of fish, wildlife, or plants pursuant to the Endangered Species Act.

☐ This action jeopardizes the habitat of endangered species of fish, wildlife, and/or plants identified on an attached map. Accordingly, the following restrictions must be incorporated in the outgrant document to protect the habitat:
__NA__

4. FISH AND WILDLIFE COORDINATION ACT:

[X] This action will not jeopardize fish and wildlife species or habitat integral to Congressionally authorized mitigation or General Plans, or Army agreed to recommendations in Fish and Wildlife reports prepared under the provisions of the FWCA.

[] This action will jeopardize fish and wildlife species or habitat integral to Congressionally authorized mitigation or General Plans, or Army agreed to recommendations in Fish and Wildlife reports prepared under the provisions of the FWCA.
Impact description: __NA__ RECOMMENDED ACTIONS PRIOR TO
AVAILABILITY: __NA__

5. HISTORICAL AND CULTURAL RESOURCES:

[X] The area has been surveyed for historical and cultural resources and there have been none identified on this property, and this action is in compliance with the National Historic Preservation Act and other relevant laws; Executive Order 11593, Protection and Enhancement of the Cultural Environment; or any MOA's related thereto.

[] A survey has identified historical and/or cultural resources on this property. This action has been coordinated with the State Historic Preservation Officer and the Advisory Council on Historic Preservation in accordance with 36 CFR 800. The following restrictions must be incorporated into the outgrant document to protect the resource:

[] Native American graves or artifacts have been identified on this property. Refer to requirements of the American Indian Religious Freedom Act and Native American's Graves Protection and Repatriation Act.

[] Archaeological sites or resources have been identified on this property. Refer to the Antiquities Act; Archaeological and Historical Preservation Act; and Archaeological Resources Protection Act.

6. MISCELLANEOUS PROVISIONS.

[N/A] The proposed outgrant activity will impact an area designated under the Wild and Scenic Rivers Act. Attach any site specific restrictions necessary to protect the area.

7. NEPA REQUIREMENTS:

[X] This action falls under one of the Categorical Exclusions (CX) contained in AR 200-2 or ER 200-2-2 (Procedures for Implementing NEPA). The environmental affect of the action has been considered. This falls under Categorical Exclusion (e.) of ER200-2-2, Procedures for Implementing NEPA.

[] The impact of this action is considered to be minimal or insignificant. An Environmental Assessment (EA) with a Finding of No Significant Impact (FONSI) is attached.

[] The impact of this action is considered to be significant. An Environmental Impact Statement (EIS), or supplement thereto, is attached/is being prepared.

DATE

OWEN DUTT
Chief, Environmental Branch

DATE

MICHAEL K. TRIMBLE, Ph.D.
Chief, Curation and Archives
Analysis Branch

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B. ENVIRONMENTAL and CULTURAL CONSIDERATION: (CONT.)

8. CLEAN WATER ACT (FEDERAL WATER POLLUTION CONTROL ACT):

[X] This action will not involve the discharge of any pollutants into the waters of the United States or less than one million gallons of discharge per day will be made.

[N/A] This action will entail the discharge of more than one million gallons of pollutants into the waters of the United States per day.

[N/A] The applicant has applied for and received a NPDES Permit from the EPA/appropriate state agency. If not received, state circumstances:

[N/A] The Grantee is complying with the requirements of a NPDES Permit and the Grantee has a monitoring and reporting procedure.

[N/A] Subsequent requests for expansion or additional construction should be reviewed to assure the Grantee is in compliance with the five acre rule.

9. WETLANDS:

[X] This property is not located within a wetlands area and, therefore, does not fall under the purview of Executive Order 11990.

[] This property is located within a wetlands area and does fall under the purview of Executive Order 11990, accordingly, the following restrictions must be incorporated in the outgrant document: N/A

DATE

DANNY MCCLENDON
Chief, Regulatory Branch
Construction/Operations Division

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B. ENVIRONMENTAL and CULTURAL CONSIDERATION: (CONT.)

10. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Environmental Baseline Study (EBS) or Preliminary Assessment Screening (PAS):

[X] An Environmental Checklist has been completed and it was determined that no hazardous substances were stored, released or disposed upon the site, and that no further action is required for the purposes of this outgrant.

[] An EBS/PAS has been conducted and no HTRW substances were identified as released, stored, or disposed on the property in the threshold quantities.

[] A EBS/PAS has been conducted which indicates HTRW substances were released, stored, or disposed on the property in the threshold quantities. The CERCLA notice should be included in the outgrant document. Copy is attached containing the details. Choose one:

a. Remedial actions have been taken so that the property is considered safe for the proposed use.

b. Remedial actions have not been taken. Provide details and justification for outgranting in the current condition.

11. Real Property Contaminated with Ammunition, Explosives or Chemicals. __N/A__

[] The property has been decontaminated using the most appropriate technology consistent with the proposed use of the property.

[] Transfer is to another Federal agency for compatible use of surface de-contaminated real property, subject to the following limitations, restrictions and prohibitions concerning the use of the property, to ensure personnel and environmental protection: __N/A__

[N/A] Access rights are reserved to implement any monitoring plan.

[N/A] Coordination with HQDA, DACS-SF and DAMO-SWS attached with the Land Disposal Site Plan (LDSP). Reference AR 385-64, "U.S. Army Explosives Safety Program."

12. WASTE DISPOSAL (The Solid Waste Recovery Act, as amended; Resource Conservation and Recovery Act (RCRA)).

[X] The applicant will not generate hazardous waste or will not treat, dispose or store waste defined by EPA as having the following characteristics - corrosivity, ignitability, reactivity, or toxicity.

[N/A] The applicant will generate hazardous waste or will produce waste defined by EPA as having the following characteristics - corrosivity, ignitability, reactivity, or toxicity. Choose the appropriate:

a. The applicant has obtained a hazardous waste identification number from EPA and, if applicable, the state.

b. The applicant has established records, waste management requirements, and a Spill Prevention Plan.

13. Underground/Other Storage Tanks.

[X] There are no UST on the property and the applicant will not be installing tanks.

[X] There are no above ground storage tanks for fuel or other regulated substances and the applicant will not be installing tanks.

[N/A] There are UST on the property and/or the applicant will be installing tanks. Existing tanks are in compliance with current laws and regulations: _____ Yes _____ No. Construction of proposed tanks have been certified for such compliance: _____ Yes _____ No.

[N/A] There are above ground storage tanks for fuel or other regulated substances on the property and/or the applicant will be installing tanks. Existing tanks are in compliance with current laws and regulations: NA Yes _____ No. Construction of proposed tanks have been certified for such compliance: _____ Yes _____ No.

14. MISCELLANEOUS PROVISIONS.

[N/A] The proposed outgrant activity will involve the use of pesticides. Refer to the Federal Insecticide, Fungicide, and Rodenticide Act and state pesticide regulations, as necessary.

[N/A] The proposed outgrant activity will include gas pumps. Refer to the Clean Air Act and state and local regulations. Give status of state and local permits.

[N/A] The proposed outgrant activity will include substances covered by the Toxic Substances Control Act.

[] Other special purpose environmental laws, as follows:
__NA__

15. ADDITIONAL COMMENTS: _____

DATE

RICHARD ARCHESKI
Chief, Environmental Quality Section
Engineering Division

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C. PRELIMINARY PROCEDURES:

1. STEWART B. MCKINNEY HOMELESS REQUIREMENTS:

☒ McKinney Act requirements do not apply to this action.

☐ McKinney Act requirements apply, necessary screening has been completed, and no interest was expressed.

2. INVENTORY AND CONDITION REPORTS:

☐ No Government improvements are included in the proposed outgrant, so an inventory and condition report is not required.

☒ Government improvements are included and an inventory and condition report is required/attached.

3. CONSIDERATION:

☐ Consideration is the greater of the administrative costs of \$_____ or the FAIR MARKET RENTAL value for the property of \$_____. Give source of value (i.e. appraisal, estimate).

☐ Offsets (In kind amounts) for the improvement, maintenance, protection, repair or restoration of the property leased will be provided in lieu of rent in the amount of \$_____. Offsets to be provided are attached.

☒ Consideration is less than fair market value and the outgrant document must contain assurances for Civil Rights Act non-discrimination and the Rehabilitation Act.

4. WAIVER OF COMPETITION:

☒ A waiver of competition is not required.

☐ A waiver of competition is recommended/not recommended. Provide full justification and proposed grantee, if waiver is recommended.

5. Other applicable laws, regulations, MOA's, etc. requiring consideration for processing this action: Cooperative Agreement between U.S. Army Corps of Engineers and the Meeting of the Rivers Foundation, Inc.

6. TECHNICAL SPECIFICATIONS:

7. Additional information that will assist in processing this application/action:_____

8. BASED ON THE INFORMATION PROVIDED ABOVE, I RECOMMEND THE OUTGRANT BE [X] APPROVED [] DENIED. If the outgrant is recommended for denial, state the reasons: _____

Date

CRAIG DONIS
Chief, Acquisition/Management
and Disposal Branch